

AMENDED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... JUL 26 1991
Returned to applicant for correction..... AUG 14 1991
Corrected application filed..... AUG 20 1991
Map filed..... AUG 20 1991

The applicant..... City of Elko
1751 College Avenue....., of..... Elko
Street and No. or P.O. Box No. City or Town
Nevada, 89801....., hereby make^S application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.)..... N/A

1. The source of the proposed appropriation is..... Underground Well No. 41
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is..... 6.0 cfs.....second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet.....
3. The water to be used for..... municipal & domestic purposes
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
(a) Irrigation, state number of acres to be irrigated.....
(b) Stockwater, state number and kinds of animals to be watered.....
(c) Other use (describe fully under "No. 12. Remarks").....
(d) Power:
(1) Horsepower developed.....
(2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point..... The SE¼ NE¼ Section 10, T.34N.,
Describe as being within a 40-acre subdivision of public
R.55E., MDM, at a point from which the NE Corner of said Section 10 bears N
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
19° 30' 00" E a distance of 2250.00 feet
6. Place of use..... All of Sections 25 & 36, T.35N., R.55E., MDM; Sections 30 & 31,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
T.35N., R.56E., MDM; Section 6, T.34N., R.56E., MDM; Section 1 through 5,
8 through 17, Sections 20 thru 24 all in T.34N., R.55E., MDM
7. Use will begin about..... January 1..... and end about..... December 31....., of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.)..... a drilled & cased well equipped with
State manner in which water is to be diverted, i.e. diversion structure, ditches and
a motor, pump & pipeline to the place of use
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works..... \$200,000

10. Estimated time required to construct works..... five years

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 10 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The total combined duty of this application and the existing water right
shall not exceed 18,000 acre-feet per year. The estimated consumptive use under
this application is 4343 acre-feet per year.

Compared bc/bc ab/se

By s/Michael D. Buschelman
Michael D. Buschelman - Agent
5405 Mae Anne Avenue
Reno, Nevada 89523

Protested.....

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed 6.0 cubic feet per second, but not to exceed 4343
acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 20, 1995

Proof of completion of work shall be filed on or before May 20, 1995

Application of water to beneficial use shall be made on or before April 20, 1998

Proof of the application of water to beneficial use shall be filed on or before May 20, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed..... office, this 20th day of April

Cultural map filed..... A.D. 19 93

Certificate No. Issued.....

[Signature]
 State Engineer

Port 62094-T 0.45 Exp 5-09-97
Abrogated By 62095-T 0.45 Exp 5-09-97
61712 3.0
61714 0.1114
64579 0.222

(PERMIT TERMS CONTINUED)

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The total combined duty of water under Permits 7381, Certificate 1207; 9446, Certificate 2494; 10185, Certificate 2744; 14474, Certificate 4824; 14475, Certificate 4825; 14476, Certificate 4469; 14477, Certificate 4470; 15979, Certificate 5370; 23985, Certificate 9848; 24801, Certificate 7513; 26326, Certificate 9790; 29061, Certificate 8791; 36626, 37221, Certificate 11134; 43373, 43374, 44073, 48277, 49515, 49617, Certificate 13044; 51994, 51995, 52854, 53765, 54142, 56588, 56589 and 56590 shall not exceed 18,000 acre-feet annually.